

City of New Castle Delaware
Regular City Council Meeting at Town Hall
201 Delaware Street – New Castle
Tuesday, February 12, 2019– 7:00 p.m.

Roll Call: 7:00 P.M.

Councilperson Valarie W. Leary
Councilperson Michael J. Quaranta
Council President Linda Ratchford
Councilperson Michael M. Platt
Councilperson John A. Di Mondì

Also present:

Jimmy Gambacorta, Mayor
Janet Carlin, City Treasurer
William Barthel, City Administrator
Richard McCabe, Chief of Police
Jeff Bergstrom, Building Official and Fire Marshal
Kathy Walls, City Finance Coordinator

Business from the Mayor

Mayor Gambacorta read a proclamation recognizing the 100th birthday of city resident Gladys Clark on January 9, 2019.

Mayor Gambacorta read a proclamation, proclaiming April 26, 2019 as Arbor Day in the City of New Castle.

2018 Audit Report

Vince Barbone of Whisman Giordano & Associates presented the financial audit of the city for the fiscal year ended June 30, 2018. A full copy of the audit report was provided to Council. The presentation included the following details from the report:

- Giordano & Associates has issued a determination of “unmodified opinions” at all levels of their financial report, meaning they found no exceptions in the audit.
- The Municipal Services Commission is a separate entity from the city, and is not included in the report.
- As of June 30, 2018, total assets of the city were at \$37.8 to \$37.9 million, rounded, as compared to the prior year’s \$35.5 million.
- Total liabilities for the year were at \$2.938 million, compared to \$1 million the prior year. The increase is related to the city’s bond for the street program.
- Funds available for future projects, excluding restricted funds, were at approximately \$3 million.
- Based on the audit, Mr. Barbone would consider the City to be “healthy, but not wealthy.”

In response to a question from Councilperson Di Mondì, Mr. Barbone stated that the Municipal Services Commission's structure and subsidizing of the City is set up that way by a lot of governments.

In response to questions from Councilperson Quaranta, Mr. Barbone stated that he found no material weaknesses in the City's financial condition, and he is not aware of any pending litigation against the city.

After a motion and second, **Resolution 2019-04**, A Resolution to approve the **FY18 City Audit**, as presented by City Auditor (posted 2/5/2019 by Council President Ratchford) was read into the record. The resolution was passed unanimously.

Minutes

After a motion and second, the January 8, 2019 Regular Meeting Minutes were approved unanimously, as amended.

Treasurer's Report

The unaudited Treasurer's report was presented by Janet Carlin, City Treasurer; as of January 31, 2018 reported in \$3,922,600.35 unrestricted finds, and \$2,470,619.26 in restricted funds, for a total of \$6,393,219.61 total cash in accounts.

Total long-term debt is \$2,038,178.00, which includes the amount that the Trust will be paying back, which is currently \$1,770,376.00. The long-term debt is inclusive of the loan for the street sweeper.

In response to a question from Councilperson Di Mondì, Ms. Carlin stated that the total long-term debt as of a year ago was at approximately \$46,830.

After a motion and second, the unaudited Treasurer's report was approved as presented, unanimously.

Report from the City Administrator and Staff

City Administrator William Barthel reported:

- DelDOT has set the date for the public meeting regarding the railroad crossing safety improvement project. It will be Monday, March 18, taking place at the New Castle Elementary School, from 4:00 to 7:00 PM. Mailers will be sent to all city residents.
- Per Council's request, the City Architect (Laila Hamroun) has discussed the Delaware Street project with SHPO. She reviewed the design with Lynn Riley (a Senior Division Planner with the State of Delaware) and Suzanne Savery (Deputy Director at the state's Division of Historical and Cultural Affairs). They have advised Ms. Hamroun that they are comfortable with the design, and see the project as a traffic calming and pedestrian safety improvement project, with a stormwater treatment component. They do not see the project affecting the historic character of New Castle. They see the bumpouts as providing better viewpoints. They are fine with having the green features, in lieu of trees, on the courthouse side of the sidewalk. The space in front of the David Finney Inn is a

matter of local zoning/code use, and not a design issue. Ms. Savery asked who would be carrying the cost of the green features on the courthouse sidewalk, and was advised that the city would be maintaining that.

Jeff Bergstrom reported:

- All information related to flood plain management, that the city has had available on paper, is now available on the city's website. This is part of an effort to advance the city in the community rating system, as well as lower flood insurance rates.

Councilperson Quaranta requested that Mr. Bergstrom work with the local newspaper, if possible, to provide information to residents and businesses about these improvements.

Police Chief McCabe reported:

- The Police and Fire Departments are working together to create a drug awareness program, targeting the younger generation. More information will be provided on their website, as it becomes available.
- Year-to-date traffic arrests are at 438. This increase is affected by targeting of some issues that have been brought up, such as passing on the right, speed in certain areas, and quality of life concerns that have been raised. Also, some highway safety grants have allowed the department to put extra cars on the street, to target speed, DUI, etc.
- There were four DUIs in January, one a fifth offense.

Councilperson Quaranta asked Chief McCabe to comment on the part of the report related to thefts, robberies and burglaries in Van Dyke Village. Chief McCabe responded that they are pleased to see only approximately 25 quality of life calls in residential areas, and he believes that the Police presence and movement in the areas has been a deterrent.

Rev. Andrew Williams asked Mr. Bergstrom for clarification of what flood insurance covers. Mr. Bergstrom's response was inaudible.

Council Communications

Councilperson Quaranta pointed out that February is Black History Month, and expressed appreciation to several people.

Councilperson Di Mondì shared concerns that he has received from a number of citizens, regarding the Planning Commission meetings. Mr. Di Mondì had requested that Mr. Baldini and the other Commission Chairs follow the same protocol that the City Council follows, in allowing limited comment on agenda items only. Mr. Di Mondì read Mr. Baldini's response to his request, in which he (Mr. Baldini) disagreed with the concerns that Mr. Di Mondì had shared. Mr. Di Mondì requested a motion from Council that all City Commissions follow the City Council's protocol in allowing limited discussion on listed agenda items only.

Council President Ratchford stated that the City Council has power in the appointment process to Commissions only.

Mr. Baldini stated that he and Councilperson Di Mondì respectfully disagree on this subject. He stated that public comment is allowed after the applicants' and the City Planner's and/or Building Inspector's presentation.

Councilperson Platt commented on a letter to the Editor of the newspaper, from the owner of the hair salon at 7th and Delaware. Regarding the statement that a handicapped parking space is being taken away from a person on Baldt Avenue, Mr. Platt stated that the parking space in question had been placed there to accommodate that person during construction on Baldt Avenue, while her driveway was inaccessible. The construction is completed and the driveway is now accessible, so the parking space has been removed.

Related to the same letter, Councilperson Platt asked Councilperson Di Mondì for comment related to the statement that he (Mr. Di Mondì) had claimed to be on official business while at a parking lot on 7th Street, and then flipped the middle finger at the owner of the hair salon, when she took his picture. Mr. Di Mondì stated that it was his First Amendment right.

Business from the Council President

Council President Ratchford read a letter that was addressed to her, as Council President, from Councilperson Quaranta, in which Mr. Quaranta submitted his resignation from City Council, for the purpose of declaring his candidacy for the office of Mayor in the April 13, 2019 election.

Business from the Floor (concerning agenda items only)

Dorsey Fiske stated that Council should have found funds for city projects either by raising taxes or by acquiring a bond, rather than committing large sums from the Trust for these projects. She also stated that much of the problem with the streets has been caused by a lack of infrastructure repairs over the years, a Council responsibility in which it has been derelict. She reviewed a meeting of the Trust from last year, in which the President of the Trust suggested providing \$2.0 million to the city, rather than the \$1.2 million requested. Ms. Fiske then read from the minutes of that meeting, related to that conversation. The \$2 million was approved at that meeting, by a vote of seven to six. Ms. Fiske stated that the Trust should be used for important city projects that the city can't handle.

Roderick Gillespie asked what the limits/boundaries are for the project, for the \$675,000 referred to in **Resolution 2019-05**. Council President Ratchford responded that the funds in that agenda item are for paving and curbs from 3rd to 6th Streets.

Mr. Gillespie asked what the plans are for the curbs and sidewalks in this project. Council President Ratchford stated that granite curbing has been spec'd, and that everything is currently in Engineering. In response to Mr. Gillespie's inquiry about whether sidewalk adjustments are being considered as part of the curbing project, Ms. Ratchford responded that sidewalk adjustments are included in the project.

Mr. Gillespie commented that, related to the bumpouts, there is no clear accident history involving pedestrians and cars in that area, and that he does not see a problem in the area, currently. He stated that he sees no purpose in having grass installed. He suggested that the city

consider removing the bumpouts from the project, as there may be budget problems later on, related to the project.

Related to the two stop signs to be added, Mr. Gillespie stated that stop signs actually create accidents, rather than preventing them.

Victor Bryson mentioned problems in Dobbinsville, with drugs and firearms. He requested that Council look into prohibiting open carry within the city limits.

Karen Whalen asked what the \$675,000 in **Resolution 2019-05** is earmarked for. Council President Ratchford responded that it is for paving and curbs from 3rd to 6th Streets. Other funds used for the Delaware Street project provided for work from the wharf to 3rd Street. Mr. Barthel stated that of the funds provided by the Trust, approximately \$1 million have gone to the Delaware Street project. Ms. Whalen asked whether a detailed line-by-line explanation of the funds for the street projects is available to the public. Ms. Ratchford and Mr. Barthel responded that this information has been provided in public meetings. Ms. Whalen commented that the situation is very confusing and fiscally unhealthy, and consideration should be given to removing aspects of the project that most people don't want, such as the bumpouts and the 3rd Street parking lot.

Phil Gross asked when results and hard numbers can be expected, related to the Delaware Street project. Council President Ratchford responded that the investigative work on the drainage portion has been started. Mr. Gross asked if the public has access to information related to the funds that have been spent. Mr. Barthel responded in the affirmative.

Old Business

After a motion and second, Council President Ratchford read **Resolution 2019-01**, A Resolution making a Council Appointment to the Tree Advisory Commission (posted by Council President Ratchford on 2/5/2019) into the record, John Antonio being the appointee being considered.

Resolution 2019-01 was passed unanimously.

New Business

After a motion and second, council President Ratchford read **Resolution 2019-05**, A Resolution to request a funding commitment from the Trustees of the New Castle Common for \$675,000 (posted by Council President Ratchford on 2/5/2019) into the record.

Councilperson Di Mondì expressed his disapproval of the resolution.

Councilperson Quaranta commented on the history of the Trustees providing about \$225,000 to \$250,000 per year to the city for projects, as well as provided a brief explanation of the process of determining what infrastructure repairs are needed. He expressed that the Delaware project is needed and expensive, and setting aside money from unrestricted city funds until the money is available would take years. He stated that this is a request for the Trustees to advance money that they typically have been providing annually. His preference is that only the necessary work be done, with no amenities. Mr. Quaranta stated that the city will not know what money might be

available from the state, until the state completes their budget process on June 30. He stated that the entire portion, to 6th Street, needs to be completed.

Councilperson Di Mondì stated that the problem is that current income from property taxes does not cover the city's expenses.

Councilperson Platt commented that the project should be completed all the way to 6th Street.

Resolution 2019-05 was passed by a vote of four to one, as follows:

Councilperson Valarie W. Leary: Yes

Councilperson Michael J. Quaranta: Yes

Council President Linda Ratchford: Yes

Councilperson Michael Platt: Yes

Councilperson John A. Di Mondì: No

Councilperson Di Mondì asked the City Clerk to please record his vote correctly, stating he was not absent. Councilperson Di Mondì added that this was not a disparagement on the City Clerk; somebody else in the main office changed the wording of what he said.

Public Comments:

Dorsey Fiske asked what the \$675,000 would be used for, if the state ends up providing funds for the Delaware Street project. Council President Ratchford responded that the money would be reinvested in infrastructure. Ms. Fiske asked how much the city has requested from the state. Councilperson Quaranta responded that the state makes their determination, when they complete the budget on June 30, as to how much will be provided to which districts.

Ms. Fiske commented that some Trustees had expressed concern in the past, related to the surreptitious manner in which this was handled by the Trustee officers. She expressed that she considers the underhanded behavior by the Trustees, and opaque behavior by City Council, to be disturbing.

Ms. Fiske also stated that she has spoken to the City Attorney several times about giving a tutorial to all of the City's Commissions, on what they are supposed to be doing. Councilperson Quaranta commented that that is very good advice.

Russ Smith commented that he is pleased to see that the City did consult with SHPO related to the landscaping changes on Delaware Street.

Karen Whalen asked whether it would be a fair summation to say that there are too many projects, and the money runs out before the projects do. Council President Ratchford responded that Council is constantly reviewing projects that are needed, including those beyond infrastructure. At this point, they are working on execution. There is a rolling list of projects that is constantly updated. Projects are not started until there is the money available to complete them.

Councilperson Quaranta mentioned that about a 20% contingency is included in the cost estimates. He stated that money is spent only on projects that are needed and justified.

Ms. Whalen stated that the 3rd Street parking lot project has never been justified, and asked about the possibility of that project being scrapped. She asked whether the parking lot was justified in the traffic study, and stated that she believes the parking lot will end up costing \$1 million. Council President Ratchford stated that Council approved that project, based on research.

Mr. Beale commented that there have been a number of incidents of dog waste in the parks and on the streets and sidewalks, and asked about having dog waste containers and bags placed throughout the community. Councilperson Leary reported that she is doing research on options.

Mr. Beale also expressed concern about the \$225,000 to \$250,000 per year that the city typically receives from the Trust, being advanced, and where the needs will be for that money, going forward. He projects that the cost of the parking lot will be close to \$1 million. He asked where else that \$1 million might be spent; as opposed to on a parking lot that he stated has no justification. He asked what the city is doing to prepare for water coming into the city from the waterfront, in the future.

Councilperson Quaranta responded that concerns about the waterfront should be a priority. Mr. Beale stated that money should be spent on a bulkhead.

Roderick Gillespie read part of a report issued by AECOM, related to parking in the city, which included a goal of using six guiding principles which Mr. Gillespie read aloud. He stated that the 3rd Street parking lot is in opposition to the recommendations of AECOM.

Mr. Gillespie brought up a study that he has heard of, done by the University of Delaware. Councilperson Quaranta stated that the task of the students at the time of the project that Mr. Gillespie brought up was not to determine whether or not the city needs parking. Mr. Gillespie stated that he believes that this project was used incorrectly, to justify requesting the funds for the 3rd Street parking lot, and that he expects the cost of the parking lot to be more than has been appropriated.

Joanna Di Mondì stated that it seems to her that the citizens of New Castle are confused about what is going on, especially with the parking. She asked whether the parking lot could be put on as a referendum at the next election. She stated that a little more transparency would help.

After a motion and second, the meeting was adjourned.

Adjournment motion carried at 9:21 pm

Respectfully submitted,

Brian G. Whitaker

Clerk of the City of New Castle, Delaware

Next regular meeting date: March 12, 2019 (posted 2/5/2019)